

Remarks

Claims 10-17, 27-34, and 38-55 are pending in the application and stand rejected as obvious under §103(a) over Marshall '995 publication. Claims 10, 27, 44, and 50 are independent claims.

It is proposed in view of the Final Office Action to amend each of the independent claims to remove the conditional language with respect to the probable payout information. For example, it is proposed to amend claim 1 to call for the first probable payout information to indicate (1) a respective probable payout for a selection of a first entrant from a first race and a selection of each other entrant from the first race, and (2) a respective probable payout for a selection of the first entrant from the first race and a selection of each entrant from a second race. In the reconfigured table, the second probable payout information is provided for the same scenarios. In this manner, the method of claim 10 providing probable payout information to the user for an exotic wager type encompasses wager types requiring selection of two entrants from a single race or an entrant from each of two different races. The user is provided with the probable payout information for each of the different types of exotic wagers, and is then able to select their desired wager. For example, referring to the embodiment in Figs. 4 and 4A, in each of the probable payout tables, the user is provided with payout information with respect to the first entrant (horse 1) in combination with any of the other horses in the same race for a quiniela or exacta wager. The same table also provides the user with a respective probable payout for horse 1 in the first race in combination with horses 1 through 8 in the second race for a daily double wager. The reconfigured

table of Fig. 4A provides the same information with respect to the different entrant in the first race (horse 2).

Independent claims 27, 44, and 50 have been similarly amended.

The proposed amended independent claims patentably distinguish over Marshall '995 in that Marshall '995 does not provide any embodiment wherein a graphical user interface (GUI) provides to a user payout probabilities for combinations of exotic wagers that includes multiple entrants in a single race and multiple entrants from a different race, with the user having the option from a single GUI to consider all of the various exotic wager configurations for a wager selection without having to move back and forth between different GUI screens. In the system of Marshall '995, particularly the embodiments illustrated in Figs. 58 through 63, the user is presented with various options for presenting payout probabilities for different combinations of entrants within a single race. However, the probability payout tables do not include probabilities for exotic wagers related to the selected entrant and an entrant in a different race, as for a daily double wager.

In par. [0099] of Marshall '995, the reference describes that, in Fig. 28, the user may select a “multi-race bet”. If this option is selected, the user is presented with the GUI illustrated in Fig. 31 wherein the user selects one of a possible number of multi-race exotic wagers. However, the odds/probability feature described in Marshall '995 is not an option for the multi-race type of wagers. The Examiner is drawn to the chart of options illustrated in Fig. 54 and related description in paragraphs [0110] through [0113]. The odds/probabilities option is available from the “handicapping” option 708 in the main menu 702 shown in Fig. 7. However, as clearly illustrated in the flow chart of

Fig. 54, the odds/probabilities feature applies to the exacta wager scenario of Figs. 58 through 60, exacta matrix of Figs. 61 through 63, win % of Figs. 64 and 65 [par. 0117], and the win pool feature of Figs. 66 and 67 [par. 0118]. Marshall '995 does not even suggest of providing probable payout information for multi-race wagers. Thus, there is clearly no disclosure or suggestion in Marshall '995 of providing a table in a single GUI screen that contains probable payout information related to an entrant in a first race and each of the other entrants in the first race, as well as for selection of the entrant in the first race and an entrant in a completely different race.

Accordingly, applicant respectfully submits that each of the independent claims as amended and presented herein patentably distinguishes over Marshall '995, and is allowable. The remaining claims only further patentably distinguish their respective independent claims, and are thus also allowable.

Applicant respectfully submits that the proposed amendment to the independent claims is proper for entry and consideration in view of the Final Office Action in that the claim amendments only eliminate any possible confusion as to the conditional nature of the respective limitations. Each of the different types of limitations has, however, already been considered by the Examiner, as evidenced in application of Marshall '995 to the different possible claim scopes. The amendments do not raise new matters for consideration that would require any significant amount of work or consideration by the Examiner.

With the present Amendment, applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the

undersigned at his convenience should he have any questions, or require any additional information.

Respectfully submitted,
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